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2 Attorneys for Plaintiffs
TC Rich, LLC, Rifle Freight, Inc., Fleischer Customs Brokers, Richard G.
Fleischer, and Jacqueline Fleischer

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

16 TC RICH, LLC, a California Limited
17 Liability Company, RIFLE FREIGHT,
18 INC., a California corporation,
19 FLEISCHER CUSTOMS BROKERS, a
sole proprietorship, RICHARD G.
FLEISCHER, an individual, and
JACQUELINE FLEISCHER, an
individual.

Plaintiffs.

v.

PACIFICA CHEMICAL,
INCORPORATED, a California
corporation, AQUA SCIENCE
ENGINEERS, INC., a California
Corporation, A/E WEST
CONSULTANTS, INC., a Nevada
Corporation, and DOES 1 through 10,
inclusive.

27 || Defendants.

Case No. CV 15-4878 DMG (AGRx)
Assigned to the Hon. Dolly M. Gee

TWELFTH FURTHER JOINT QUARTERLY STATUS REPORT AS ORDERED BY THE COURT

Action filed: June 26, 2015
Discovery: Stayed
Trial date: None set

Submitted on November 16, 2020

1 Plaintiffs TC RICH, LLC, a California limited liability company, RIFLE
 2 FREIGHT, INC., a California corporation, FLEISCHER CUSTOMS BROKERS, a
 3 sole proprietorship, RICHARD G. FLEISCHER, an individual, and JACQUELINE
 4 FLEISCHER, an individual, and defendant PACIFICA CHEMICAL
 5 INCORPORATED, and Plaintiff-Intervenor (collectively, the “Parties”) submit this
 6 Twelfth Further Joint Status Report.

7 The eleven prior joint reports were filed on:

- 8 1. January 19, 2018 [Dkt. 91];
- 9 2. October 19, 2018 [Dkt. 96];
- 10 3. November 14, 2018 [Dkt. 98];
- 11 4. February 7, 2019 [Dkt. 100];
- 12 5. February 28, 2019 [Dkt. 103];
- 13 6. May 14, 2019 [Dkt. 117];
- 14 7. August 14, 2019 [Dkt. 118];
- 15 8. November 14, 2019 [Dkt. 119];
- 16 9. February 14, 2020 [Dkt. 121];
- 17 10. May 14, 2020 [Dkt. 125]; and
- 18 11. August 14, 2020 [Dkt. 127].

19 The Parties reported in the 11th Quarterly Report that the pilot test report was
 20 being drafted and was expected to be ready in mid-September. The pilot test report
 21 was circulated to the parties by Defendant Pacifica Chemical’s contractor, Murex,
 22 on October 14. In the report, Murex concluded that the pilot test demonstrated
 23 enhanced reductive dichlorination (ERD) will be effective at remediating volatile
 24 organic compound impacts in groundwater at 132 West 132nd Street (the “Site”).
 25 Plaintiffs’ expert, EEC Environmental, reviewed the report and generally agrees
 26 with Murex’s conclusions regarding the effectiveness of ERD at the Site, but
 27 believes that further pilot testing is necessary to demonstrate that ERD injections

can be effectively delivered across the entire plume.

On November 11, the parties conducted a telephonic meet and confer to discuss the results of the pilot study and a potential return to mediation, as well as other potential paths to resolution. During the discussion, counsel for Defendant Pacifica Chemical agreed to solicit bids from environmental remediation firms to gauge the cost and willingness of those firms to assume responsibility for remediation of the Site. This will give the parties an objective measure of the cost of remediation, which to date has been uncertain and an obstacle to settlement. The parties further acknowledged the pending trial and other deadlines in the matter of *TC Rich v. Hussain Shaikh* (2:19-cv-02123-DMG-AGR). They continue to meet and confer to address procedural and case management issues presented by the related case.

13 The parties anticipate conducting a further meet and confer discussion after
14 receipt of the bids, and during that discussion will consider whether a return to
15 mediation with Tim Gallagher will be helpful to resolve the remaining issues.

17 | Dated: November 16, 2020

RAINES FELDMAN LLP

/S/ John S. Cha

John S. Cha

Counsel for Plaintiffs

22 | Dated: November 16, 2020

PILLSBURY WINTHROP SHAW PITTMAN LLP

/S/ Mark Elliott

Mark Elliott

Counsel for Plaintiffs

1 Dated: November 16, 2020

PALADIN LAW GROUP® LLP

3 /S/ Bret A. Stone

4 Bret A. Stone

5 Counsel for Defendants Pacifica Chemical,
Incorporated

6 Dated: November 16, 2020

FOLEY & LARDNER LLP

8 /S/ Sarah A. Slack

9 Sarah A. Slack

10 Counsel for Plaintiff-Intervenor

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